

Subpart 3565—Noncompetitive Leasing: Fringe Acreage Leases and Lease Modifications

§ 3565.1 Lands subject to lease.

Lands available for leasing which are known to contain a hardrock mineral deposit that extends from an adjoining Federal lease or from privately held lands may be leased noncompetitively either by issuance of a new lease for these lands or by adding such lands to an existing Federal lease.

§ 3565.2 Special requirements.

Before a fringe acreage lease may be issued or a lease modified under this subpart, the authorized officer shall determine the following:

- (a) The lands are contiguous to an existing Federal lease or to non-federal lands owned or controlled by the applicant;
- (b)(1) The new lease for fringe acreage is not in excess of 2,560 acres; or
- (2) The acreage of the modified lease, including additional lands, is not in excess of 2,560 acres;
- (c) The mineral deposit is not in an area of competitive interest to holders of other active mining units in the area;
- (d) The lands applied for lack sufficient reserves of the mineral resource to warrant independent development; and
- (e) That leasing the lands will result in conservation of natural resources and will provide for economical and efficient recovery as part of a mining unit.

§ 3565.3 Filing requirements.

- (a) An application shall be filed in triplicate with the proper BLM office. No specific application form is required.
- (b) The application shall be accompanied by a nonrefundable filing fee of \$25 and an advance rental payment of \$1 per acre or fraction thereof for a new lease or at the rental rate set forth in the base lease for a modification made payable to the Department of the Interior—Bureau of Land Management. The rental payment shall not be less than \$20.

(c) The application shall:

- (1) Make reference to the serial number of the lease if the lands adjoin an existing Federal lease;
- (2) Contain a complete and accurate description of the land desired;
- (3) Include a showing that a hardrock mineral deposit extends from the applicant's adjoining lease or from private lands owned or controlled by the applicant; and
- (4) Include proof of ownership or control of the mineral deposit in the adjoining lands if not under a Federal lease.

[51 FR 15213, Apr. 22, 1986; 51 FR 25204, July 11, 1986]

§ 3565.4 Surface management agency.

The surface management agency shall be consulted in accordance with § 3500.9 and part 3580 of this title, as applicable. (See also § 3560.3)

§ 3565.5 Payment of bonus.

Prior to the issuance of a new lease or a modification of an existing lease, the applicant shall be required to pay a bonus in an amount determined by the authorized officer based on an appraisal. In no event shall such payment be less than \$1 per acre or fraction thereof.

§ 3565.6 Terms and conditions of lease.

New leases shall be issued subject to the terms and conditions set out under subpart 3561 of this title. The terms and conditions of a modified lease shall be the same as in the existing lease.

Subpart 3566—Lease Renewals

§ 3566.1 Applications.

An application for lease renewal shall be filed at least 90 days prior to the expiration of the lease term. No specific form is required. All applications shall be filed in triplicate in the proper BLM office together with a nonrefundable \$25 filing fee and an advance rental payment of \$1 per acre or fraction thereof. The rental payment shall not be less than \$20.

§ 3566.2 Bonds.

Prior to the issuance of a renewal lease, the lessee may be required to